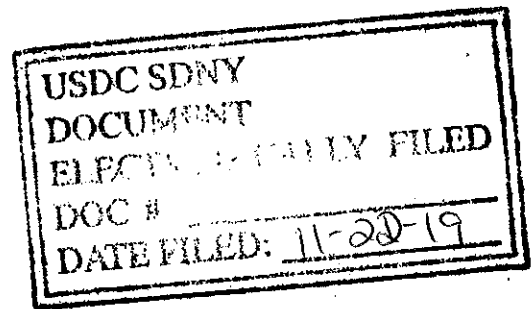


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- x  
UNITED STATES OF AMERICA

- v. -

MOSHE BENENFELD,

Defendant.  
----- x

:  
:  
: PRELIMINARY ORDER OF  
: FORFEITURE/  
: MONEY JUDGMENT  
:  
: 18 CR. 485 (LAP)

WHEREAS, on or about July 12, 2018, MOSHE BENENFELD (the "defendant") was charged in a one-count Indictment (the "Indictment") with bank fraud, in violation of Title 18, United States Code, Section 1344 (Count One);

WHEREAS, the Indictment included a forfeiture allegation as to Count One, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A) and Title 28, United States Code, Section 2461(c), of any and all property, real or personal, that constitutes or is derived, directly or indirectly, from proceeds traceable to the commission of the offense alleged in Count One of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense alleged in Count One of the Indictment;

WHEREAS, on or about December 17, 2018, the defendant pled guilty to Count One of the Indictment and admitted to the forfeiture allegation with respect to Count One of the Indictment pursuant to a plea agreement with the Government, wherein the defendant agreed to forfeit a sum of money in United States currency, representing proceeds traceable to the commission of the offense charged in Count One of the Indictment;

WHEREAS, on or about November 21, 2019, the defendant was sentenced and ordered to forfeit \$613,455.32 in United States currency, representing, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any and all property, real or personal, that constitutes or is derived from proceeds traceable to the commission of the offense alleged in Count One of the Indictment;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in Count One of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$613,455.32 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the defendant directly or indirectly obtained, shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, MOSHE BENENFELD, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable in this instance to the "United States Marshals Service," and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering & Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007, and shall indicate the defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.


5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents, and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

SO ORDERED:

  
\_\_\_\_\_  
HONORABLE LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE

  
\_\_\_\_\_  
DATE